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Practitioner's Pocket No. 1617.22B

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PATENT

TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: KOSUNA, Ken-ichi

Application No.: 10/048/927

10,045,972

Group No.: N/A

Filed: 01/11/2002

Examiner: N/A

For: COMPOSITION FOR THE TREATMENT OF SYMPTOMS AND CONDITIONS ASSOCIATED WITH AGING

Assistant Commissioner for Patents

P.O. Box 2327

Arlington, VA 22202

EXPRESS MAIL CERTIFICATE

"Express Mail" label number EV 032345983 US

Date of Deposit 28 February, 2002

I hereby state that the following *attached* paper or fee

- Petition For Date Of This Submission Of Items Indicated As Omitted On "Notice of Omitted Items" As Application Filing Date
- New Combined Declaration and Power of Attorney
- Copy of Notice Of Incomplete Nonprovisional Application
- 3 Sheets Formal Drawings
- Express Mail Certificate and post card

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to the Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202.

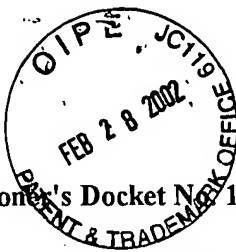
Lia H. Costello, Legal Assistant


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TECH CENTER 1600/2900

PATENT

#3

Practitioner's Docket No. 1617.22B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: KOSUNA, Ken-ichi

Application No.: ~~10/048,972~~ 10/045,972 Group No.: N/A

Filed: 01/11/2002

Examiner: N/A

For: COMPOSITION FOR THE TREATMENT OF SYMPTOMS AND CONDITIONS ASSOCIATED WITH AGING

Assistant Commissioner for Patents
Washington, D.C. 20231**PETITION FOR DATE OF THIS SUBMISSION OF ITEMS INDICATED AS
OMITTED ON "NOTICE OF OMITTED ITEMS" AS APPLICATION FILING DATE****1. Response**

Applicant responds to the "NOTICE OF OMITTED ITEMS" mailed February 6, 2002. This response is being made within two (2) months of the mailing of the "NOTICE OF OMITTED ITEMS."

A copy of the "NOTICE OF OMITTED ITEMS" is enclosed.

2. Petition

This is a nonprovisional application and applicant hereby petitions under 37 C.F.R. section 1.182 to accept the date of this submission as the application filing date.

In the alternative, Applicant herein petitions the Office to convert the instant "Petition For Date of This Submission of Items Indicated As Omitted On 'Notice Of Omitted Items' As Application Filing Date" to one of "Completion Of Filing Requirements" for the following reasons:

The instant application is a continuation-in-part of co-pending application serial no. 09/591,243, filed June 9, 2000. This family patent application which was a continuation-in-part of application serial no.

CERTIFICATION UNDER 37 C.F.R. SECTION 1.10**(Express Mail label number is mandatory.)**(Express Mail certification is optional.)*

I hereby certify that this "Cover Sheet for Assignment (Document) Accompanying New Patent Application" and the documents referred to as attached therein are being deposited with the United States Postal Service on this date 28 February 2002, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number EV 032345983 US, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Lia H. Costello, Legal Assistant

RECEIVED

JUN 05 2002

OFFICE OF PETITIONS(Petition for Date of This Submission of Items Indicated as Omitted on
"Notice of Omitted Items" as Application Filing Date—page 1 of 2)

09/366,082, filed August 3, 1999 contained the drawings which through a clerical mistake was inadvertently omitted in the transmittal of the instant application; that is, the drawings were inadvertently not transferred to the new file.

However, the specification submitted clearly delineated that drawings were supposed to be included as page 5 of the specification details the contents of the drawings in the section "BRIEF DESCRIPTION OF THE DRAWINGS," where Figs. 1-3 are briefly described.

In addition, the fifth line of page 1 of the specification clearly states that the "disclosure of (the parent application) is hereby incorporated by reference ..." The disclosure included the drawings and Applicant could have instead asked that the drawings be transferred from the parent application to the instant CIP application.

3. Submission

Submitted herewith is:

- * the omitted item listed on the "NOTICE OF OMITTED ITEMS"

4. Petition Fee (37 C.F.R. section 1.53(e)(2))

Nonprovisional

(37 C.F.R. section 1.17(i))

\$ 130.00

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OFFICE OF PETITIONS

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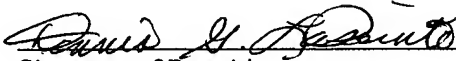
Charge Account No. 13-1992 the sum of \$ 130.00.

A duplicate of this petition is attached.

Please charge Account No. 13-1992 for any fee deficiency for this petition.

Please charge any additional fee required by this paper to Account No. 13-1992.

Date: 2/28/02


Signature of Practitioner

Reg. No.: 40,693
Tel. No.: 727-538-3800
Customer No.: 24040

Dennis G. LaPointe
Mason & Associates, P.A.
17757 US Hwy 19 N., Suite 500
Clearwater, FL 33764

1617C22B.Petition For Date.02282002.doc

(Petition for Date of This Submission of Items Indicated as Omitted on
"Notice of Omitted Items" as Application Filing Date--page 2 of 2)

Copy of 3

URGENT**MASON & ASSOCIATES, P.A.
FAX COVERSHEET**

17757 U.S. Hwy 19 North, Suite 500, Clearwater, FL 34677

Our Fax #: (727) 538-3820

TO: USPTO
Dept/Office/Art Unit: Office of Petitions
FAX #: 703-308-6916
TOTAL # OF PAGES: 14

DATE: April 1, 2002
OUR FILE: 1617.22B
FROM: Dennis G. LaPointe
Tel.: 727-538-3800

ATTN: ELEANOR WILLIS

Subject: **Application No.: 10/045,972**
Deadline Date: April 6, 2002

FAX RECEIVED**APR - 1 2002****PETITIONS OFFICE**

Documents
Attached:

Comments:

As discussed, we enclose one complete copy of our facsimile sent to the Initial Patent Examination Division on March 25, 2002, including the Transmission Verification Report per your request.

If anything else is required, please do not hesitate to contact the undersigned, or my legal assistant Lia Costello at 727-538-3800 Ext. 2007.

Thank you for your help.

KINDLY ACKNOWLEDGE RECEIPT VIA RETURN FACSIMILE

The information contained in this transmission is attorney privileged and confidential. It is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copy of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone, collect, and return the original message to us at the above address via the U.S. Postal Service. We will reimburse you for postage. Thank you.

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1617c22B, FCV. Urgent PTO.04012002.doc

Sincerely,


Dennis G. LaPointe
Mason & Associates, P.A.

Receipt is hereby acknowledged.

Signature: _____ Date: _____

URGENT**MASON & ASSOCIATES, P.A.****FAX COVERSHEET**

17757 U.S. Hwy 19 North, Suite 500, Clearwater, FL 34677

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Dept/Office/Art Unit: Initial Patent Exam

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TOTAL # OF PAGES: 12

DATE: March 25, 2002

OUR FILE: 1617.22B

FROM: Dennis G. LaPointe

Tel.: 727-538-3800

APR - 1 2002**PETITIONS OFFICE****ATTN: Ms. Robinson, Initial Patent Examination Division**

Subject: Application No.: 10/045,972

Deadline Date: April 6, 2002Documents • See Express Mail Certificate Attached
Attached:

Comments:

As discussed, we enclose one complete copy of our Petition with enclosures as mailed to the USPTO via Express Mail on February 28, 2002.

We would greatly appreciate your assistance in processing the attached. If anything else is required, please do not hesitate to contact the undersigned, or my legal assistant Lia Costello at 727-538-3800 Ext. 2007.

Thank you for your help.

KINDLY ACKNOWLEDGE RECEIPT VIA RETURN FACSIMILE

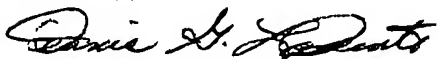
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Please call (727) 538-3800 if you do not receive the total number of pages referenced above.

Thank you.

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Sincerely,



Dennis G. LaPointe

Mason & Associates, P.A.

Receipt is hereby acknowledged.

Signature: _____

Date: _____

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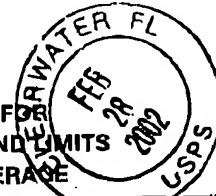


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Assistant Commissioner
for Patents
Washington, DC 20231

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PETITIONS OFFICE

DB
LHC

We hereby acknowledge receipt of the following:

- Petition For Date Of This Submission Of Items Indicated As Omitted On "Notice of Omitted Items" As Application Filing Date
- New Combined Declaration and Power of Attorney
- Copy of Notice Of Incomplete Nonprovisional Application
- 3 Sheets Formal Drawings
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JC10 Rec'd PET/PTO 28 FEB 2002

Applicant: Ken-ichi KOSUNA
Serial No.: 10/045,972
Date Filed: 1/11/2002
Title: COMPOSITION FOR THE TREATMENT OF
SYMPTOMS AND CONDITIONS ASSOCIATED
WITH AGING

File No.: 1617.22B
LA: lhc

Express Mail: EV 032345983 US

Mailed: 28 February 2002

#3

Practitioner's Docket No. 1617.22B

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: KOSUNA, Ken-ichi

Application No.: 10/042,972

Group No.: N/A

Filed: 01/11/2002

Examiner: N/A

For: COMPOSITION FOR THE TREATMENT OF SYMPTOMS AND CONDITIONS ASSOCIATED WITH AGING

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APR - 1 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

PETITIONS OFFICE

PETITION FOR DATE OF THIS SUBMISSION OF ITEMS INDICATED AS
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1. Response

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CERTIFICATION UNDER 37 C.F.R. SECTION 1.10*

(Express Mail label number is mandatory.)

(Express Mail certification is optional.)

I hereby certify that this "Cover Sheet for Assignment (Document) Accompanying New Patent Application" and the documents referred to as attached therein are being deposited with the United States Postal Service on this date 28 February 2002, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number EV 032345983 US, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Lia H. Costello
Lia H. Costello, Legal Assistant

(Petition for Date of This Submission of Items Indicated as Omitted on
"Notice of Omitted Items" as Application Filing Date—page 1 of 2)

09/366,082, filed August 3, 1999 contained the drawings which through a clerical mistake was inadvertently omitted in the transmittal of the instant application; that is, the drawings were inadvertently not transferred to the new file.

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3. Submission

Submitted herewith is:

- * the omitted item listed on the "NOTICE OF OMITTED ITEMS"

4. Petition Fee (37 C.F.R. section 1.53(e)(2))

Nonprovisional

(37 C.F.R. section 1.17(i)) \$ 130.00

The fee is paid as follows:

Charge Account No. 13-1992 the sum of \$ 130.00.

A duplicate of this petition is attached.

Please charge Account No. 13-1992 for any fee deficiency for this petition.

Please charge any additional fee required by this paper to Account No. 13-1992.

Date: 2/28/02

Reg. No.: 40,693
Tel. No.: 727-538-3800
Customer No.: 24040

Dennis G. LaPointe
Signature of Practitioner

Dennis G. LaPointe
Mason & Associates, P.A.
17757 US Hwy 19 N., Suite 500
Clearwater, FL 33764

1617C22B.Petition For Date.02282002.doc

(Petition for Date of This Submission of Items Indicated as Omitted on
"Notice of Omitted Items" as Application Filing Date—page 2 of 2)

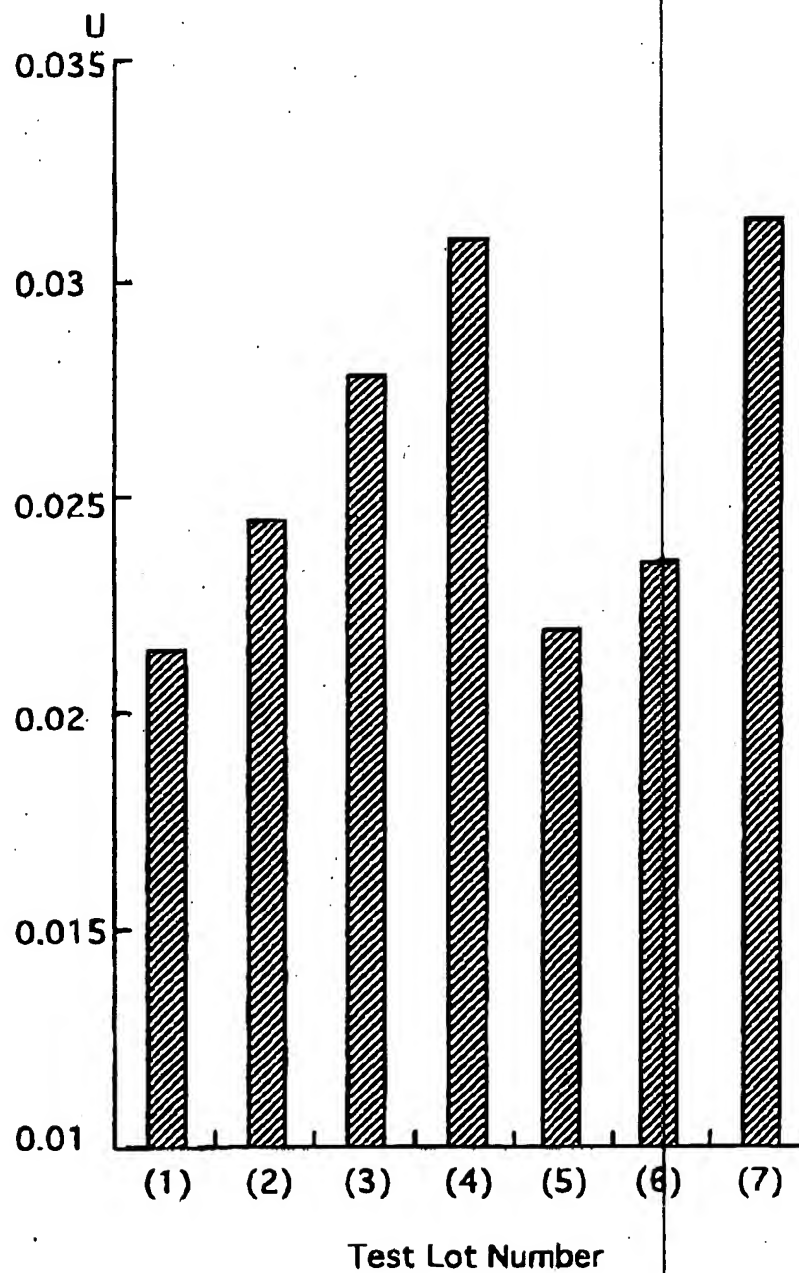
For: COMPOSITION FOR THE TREATMENT OF SYMPTOMS AND CONDITIONS ASSOCIATED WITH AGING

In re application of: Ken-ichi KOSUNA

Application No.: Unknown

Attorney Docket No.: 1617.22B

FIG. 1



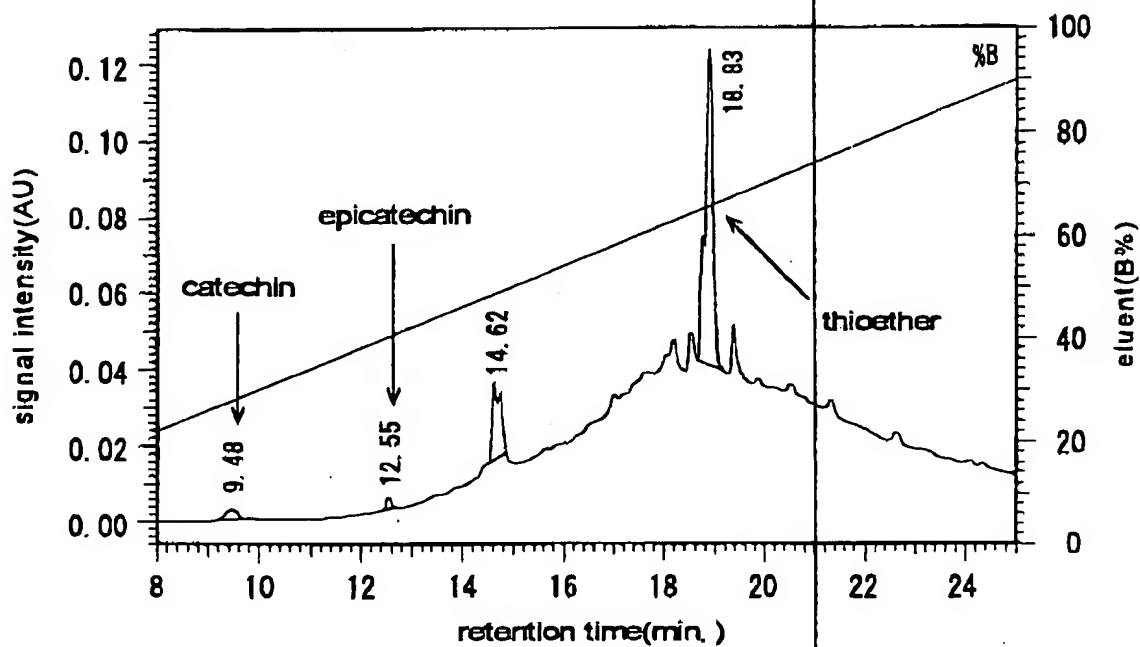
For: COMPOSITION FOR THE TREATMENT OF SYMPTOMS AND CONDITIONS ASSOCIATED WITH AGING

In re application of: Ken-ichi KOSUNA

Application No.: Unknown

Attorney Docket No.: 1617.22B

FIG. 2



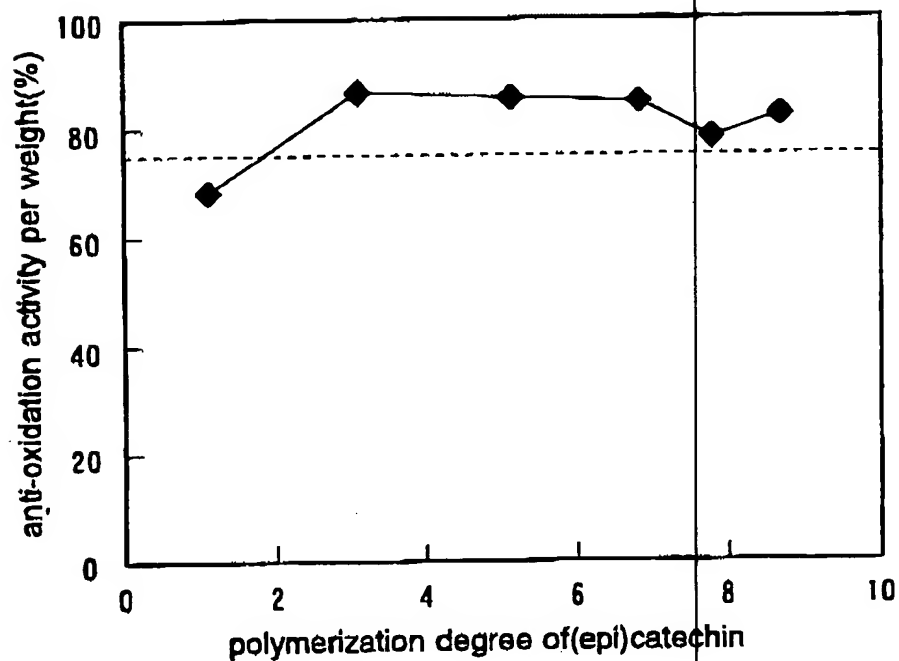
For: COMPOSITION FOR THE TREATMENT OF SYMPTOMS AND CONDITIONS ASSOCIATED WITH AGING

In re application of: Ken-ichi KOSUNA

Application No.: Unknown

Attorney Docket No.: 1617.22B

FIG. 3





UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/045,972	01/11/2002	Ken-ichi Kosuna	1617.22B

24040
MASON & ASSOCIATES, PA
17757 US HWY 19 N.
SUITE 500
CLEARWATER, FL 33764

COPYCONFIRMATION NO. 3682
FORMALITIES LETTER

OC000000007427843

Date Mailed: 02/06/2002

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION**FILED UNDER 37 CFR 1.53(b)**

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Practitioner's Docket No. 1617.22B

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: KOSUNA, Ken-ichi

Application No.: 10/~~048,927~~

Group No.: N/A

Filed: 01/11/2002 ~~045,972~~

Examiner: N/A

For: COMPOSITION FOR THE TREATMENT OF SYMPTOMS AND CONDITIONS ASSOCIATED WITH AGING

EV032345983US

Assistant Commissioner for Patents

P.O. Box 2327

Arlington, VA 22202

EXPRESS MAIL CERTIFICATE

"Express Mail" label number EV 032345983 US

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Lia H. Costello, Legal Assistant



Signature of person mailing paper or fee